

Excerpts
Planning Commission Minutes
August 14, 2002

Application No. CP-8-02, York County Board of Supervisors: Request amendment to the Comprehensive Plan to change the commercial land use designation along Old Williamsburg Road (Route 238) in Lackey from Neighborhood Business to General Business and to consider extending the General Business designation to encompass a small adjacent area currently designated High Density Residential. The subject area encompasses the area generally between Church Road and Dogwood Road.

Mr. Mark Carter provided a summary of the memorandum to the Commission dated August 1, 2002.

Mr. Semmes asked if the existing residences on property proposed for designation from High Density Residential to General Business would become nonconforming, requiring any future modifications to be approved by the Board of Supervisors. Mr. Carter said there are opportunities for expanding nonconforming uses under certain conditions that would allow continuation of the residential uses. He added there are a number of existing residences in the commercially zoned areas [in the Lackey community].

Mr. Semmes inquired about the County's rationale for the proposal, and also what the impact would be on property values and quality of life for the current residents should the application be approved. Mr. Carter said the property in the area should become more marketable as a result of approval because of an expanded range of potential uses. The Office of Economic Development has already been contacted by some prospective purchasers of some of the properties in question, according to Mr. Carter. He added that where zoning districts abut one another buffers would be required to help protect the existing residential areas.

Mr. Hendricks noted that taxes might increase for some of the current owners as a result of approval.

Mr. Heavner inquired about transitional buffers between the properties on Baptist Road and Route 238 and Mr. Carter indicated that buffers 25 feet wide would be required.

Mr. Barba inquired if the informational meeting conducted for Lackey residents in July was well attended. Mr. Carter said 45-50 people attended and their comments received were generally favorable. He said the County has received no calls since that meeting, which indicates that the attendees were provided the information they needed.

Mr. Simasek asked if public water and sewer serve the properties in question, and Mr. Carter said they are.

The Chair opened the public hearing.

Hearing no one, he closed the public hearing.

Mr. Hendricks noted that during the citizens' review of the Comprehensive Plan, the decision was essentially to leave the area alone - notwithstanding any benefits that a HUB zone might offer - because of unintended consequences. He indicated that he still leaned in that direction.

Mr. Semmes did not believe that any significant number of businesses would be created. He believed the potential negative impact on the neighborhood outweighed any positive impact on tax assessments.

Mr. Barba acknowledged that all are concerned about tax implications for current residents, but he saw this redesignation as a good opportunity for businesses and for people in the community, and was inclined to support it.

Mr. Heavner said access to Interstate 64 should be important to potential contractors. He felt the alignment and size of the area proposed to redesignate should be readdressed to enhance its development potential.

Mr. Simasek believed the long-term benefits for the community outweighed potential negative consequences.

Mr. Hendricks was not convinced that the County should rezone property to obtain general business in this particular area but could support the application entrusting the staff to work out specifics for the long-range benefit of the community.

PC02-24

On motion of Mr. Simasek, which carried 4:1 (Ptasznik and White absent, Semmes opposing), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. CP-8-02 TO AMEND THE CHARTING THE COURSE TO 2015: THE YORK COUNTY COMPREHENSIVE PLAN -TO CHANGE THE COMMERCIAL AREA DESIGNATION IN LACKEY FROM *LIMITED BUSINESS* TO *GENERAL BUSINESS* AND TO EXPAND THE *GENERAL BUSINESS* DESIGNATION TO ENCOMPASS AN ADJACENT AREA CURRENTLY DESIGNATED *HIGH DENSITY RESIDENTIAL*

WHEREAS, the York County Board of Supervisors has sponsored Application No. CP-8-02, which proposes that the commercial designation in Lackey be changed from *Limited Business* to *General Business* and that it also be expanded to encompass an adjacent area currently designated *High Density Residential*; and

WHEREAS, the Board proposed this amendment in recognition of the designation of Lackey as a HUBZone under the federal Small Business Administration program guidelines and based on a concern that the full economic potential associated with the HUBZone status may not be able to be fully realized given the limited range of commercial opportunities allowed under the current Comprehensive Plan designations; and

WHEREAS, said application has been referred to the York County Planning Commission for review and recommendation in accordance with applicable procedures; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on the application and has considered the input and recommendations provided by citizens and the staff; and

WHEREAS, the Commission has determined that it would be appropriate to recommend approval of the proposed Comprehensive Plan changes in order to set the policy framework for an expansion of the range of commercial opportunities available in the Lackey community.

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 14th day of August, 2002 that it does hereby recommend the following amendments to Charting the Course to 2015: The York County Comprehensive Plan:

1. Amend the 2015 Land Use map to change the commercial designation in Lackey from *Limited Business* to *General Business* and to extend the depth of the commercial area between Baptist Road and Dogwood Road to approximately 500 feet from Route 238, thus changing the designation of approximately 9 acres from *High Density Residential* to *General Business*.
2. Amend the text on page 90 of the Plan to read as shown in the attachment to the Planning Commission memorandum dated August 1, 2002.
